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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

SHEENA ELKIND,)

Defendant.)

Case No.: 2:20-mj-00709-BNW-1

STIPULATION TO CONTINUE
PRELIMINARY HEARING

(FIFTH REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER CHIOU, Acting United States Attorney, and Christopher Lin, Assistant United States Attorney, counsel for the United States of America, and Gabriel L. Grasso, Esq, counsel for SHEENA ELKIND, that the preliminary hearing currently scheduled for March 18 2021 at 1:00 p.m., be vacated and set to a date and time convenient to this court but no sooner than ninety (90) days.

The Stipulation is entered into for the following reasons:

1. The Parties are in pre-indictment negotiations and will require more time to resolve the outstanding matters which are part of said effort.
2. Ms. ELKIND is on Pretrial Release and does not object to the continuance.
3. The parties agree to the continuance.

- 1 4. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow counsel for defendant sufficient time within which to be able to
3 effectively and complete investigation of the discovery materials provided.
4
5 5. Denial of this request for continuance would result in a miscarriage of justice.
6
7 6. The additional time requested by this Stipulation is excusable in computing the
8 time within which the trial herein must commence pursuant to the Speedy Trial
9 Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the
10 factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).
11
12 7. This is the fifth request for a continuance of the preliminary hearing date in this
13 case.

14 DATED this 8th day of March, 2021.

15 GABRIEL L. GRASSO, P.C.
16 Counsel for SHEENA ELKIND

CHRISTOPHER CHIOU,
Acting United States Attorney

17 By /s/ Gabriel L. Grasso
18 GABRIEL L. GRASSO, ESQ.

By /s/ Christopher lin
Assistant United States Attorney

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHEENA ELKIND,

Defendant.

Case No.: 2:20-mj-00709-BNW-1

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. The Parties are in pre-indictment negotiations and will require more time to resolve the outstanding matters which are part of said effort.
2. The parties agree to this continuance.
3. The defendant is at liberty and does not object to the continuance.
4. This continuance is not sought for purposes of delay.
5. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendants in a speedy trial.
6. The Speedy Trial Act's indictment clock under 18 U.S.C. § 3161(b) is extended

to the Preliminary Hearing date set below.

1 7. The additional time requested by this stipulation is excludable in computing the
2 time within which the trial must commence pursuant to the Speedy Trial Act, Title 18,
3 United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18,
4 United States Code, Section 3161(h)(7)(B)(i) and (iv).
5

6
7 **CONCLUSIONS OF LAW**

8 The ends of justice served by granting said continuance outweigh the best interest
9 of the public and the defendant in a speedy trial, since the failure to grant said
10 continuance would be likely to result in a miscarriage of justice, would deny the parties
11 herein sufficient time and the opportunity within which to be able to effectively and
12 thoroughly prepare for trial, taking into account the exercise of due diligence.
13

14 The continuance sought herein is excusable under the Speedy Trial Act, Title 18,
15 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under
16 Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).
17

18
19 **ORDER**

20 IT IS THEREFORE ORDERED that the Preliminary hearing currently scheduled
21 for March 18, 2021, at 1:00 p.m., be vacated and continued to
22 June 9, 2021, at 1:30 PM.

23 **IT IS SO ORDERED**

24 **DATED:** 11:52 am, March 09, 2021
25 DATED March 9, 2021.

26 

27 **BRENDA WEKSLER**
28 **UNITED STATES MAGISTRATE JUDGE**